

JB

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:09-CR-362-FL

IN RE: PROPOSED DEFERRED PROSECUTION) JOINT MOTION ASKING THE
AGREEMENT AS BETWEEN THE UNITED STATES) COURT TO REVIEW AND
ATTORNEY FOR THE EASTERN DISTRICT OF) APPROVE THE
NORTH CAROLINA AND SIRCHIE ACQUISITION) COMMENCEMENT OF THE
COMPANY, LLC.) AGREEMENT

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, joined by Sirchie Acquisition Company LLC., hereby moves the Court to review and approve the commencement of the proposed Deferred Prosecution Agreement which has been agreed to between the parties and filed with the Court and in support of such Motion to Review and Approve shows unto the Court the following:

The proposed Deferred Prosecution Agreement, complete with the attachments thereto, which are currently filed with the Court are the result of prolonged negotiation between the parties. The parties move the Court to conduct such review as it deems appropriate and enter an Order reflecting the Agreement's acceptance by the court and, consistent with the terms therein, commencement.

Counsel for Sirchie Acquisition Company, LLC, Thomas C.

Manning, has been consulted and joins in this Motion.

Respectfully submitted this 25th day of January, 2010.

GEORGE E. B. HOLDING
United States Attorney

/s/ John S. Bowler
JOHN S. BOWLER
Assistant United States Attorney
United States Attorney's Office
310 New Bern Ave., Suite 800
Raleigh, NC 27601
Telephone (919) 856-4312
Fax (919) 856-4828
Email: john.s.bowler@usdoj.gov
State Bar NC # 18825

CERTIFICATE OF SERVICE

This is to certify that I have this 25th day of May, 2010, served a copy to the primary and secondary counsel by electronic filing.

GEORGE E. B. HOLDING
United States Attorney

/s/ John S. Bowler
JOHN S. BOWLER
Assistant United States Attorney
United States Attorney's Office
310 New Bern Ave., Suite 800
Raleigh, NC 27601
Telephone (919) 856-4312
Fax (919) 856-4828
Email: john.s.bowler@usdoj.gov
State Bar NC # 18825